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September 1, 2021

VIA ECF

Magistrate Judge Sanket J. Bulsara
United States District Court
Eastern District of New York
225 Cadman Plaza East Chambers 304N
Brooklyn, New York 11201

Re: Rodea v. New York Diner, Inc., *et ano.*
Case No.: 1:21-cv-217 (ERK) (SJB)
Plaintiff's Response in Opposition to
Defendants' Letter Motion for Leave to Move to Compel

Dear Judge Bulsara:

This office represents the Plaintiff Jose Eduardo Rodea (hereinafter "Plaintiff") in the above-referenced case. Plaintiff writes in response to Defendants' letter motion seeking leave to move to compel. For the reasons set forth below, this Court should deny Defendants' request.

The parties met and conferred on August 20, 2021, regarding Defendants' purported deficiencies. Following the call, Defendant's counsel had memorialized the discussion in writing. The undersigned had informed Defendant's counsel that I would be travelling this week and that due to the Jewish High Holidays all falling out in September, the undersigned would not be able to address Defendant's deficiencies by October 13, 2021, at the very latest due to the limited working days in September this year.

Despite our Agreement, Defendant took initiative to file his letter requesting leave to file a motion to compel yesterday. In response and good faith to avoid any further court intervention and prior to an upcoming flight, the undersigned took the time to get on a call with Plaintiff and respond to Defendants' deficiencies in less than 24 hours.

Your Honor, today, I responded with the attached responses to Defendants' deficiency letter which has effectively addressed all of Defendants' purported deficiency. It seems as if Defendants' have a problem with Plaintiff's objections on an existential basis. However, either way Plaintiff has no further documents to produce. Based on same, Plaintiff respectfully submits that there is no need for a conference.

Dated: Forest Hills, New York
September 1, 2021

Regards,

SHALOM LAW, PLLC

/s/ Jonathan Shalom

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